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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,623	10/24/2000	Hiroyuki Honma	9792909-4845	2772

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EXAMINER

HOFFMAN, BRANDON S

ART UNIT

PAPER NUMBER

2136

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/695,623	HONMA, HIROYUKI
	<b>Examiner</b>	<b>Art Unit</b>
	Brandon S. Hoffman	2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 April 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4, 6-13 and 15-18 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4, 6-13 and 15-18 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-4, 6-13, and 15-18 are pending in this office action, claims 5 and 14 are newly canceled.
2. Applicant's arguments, filed April 21, 2005, have been considered and are persuasive. However, a new ground of rejection has been made.

***Rejections***

3. The text of those sections of 35, U.S. Code not included in this action can be found in a prior Office Action.

***Claim Rejections - 35 USC § 103***

4. Claims 1-4, 6-8, 10-13, and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia et al. (U.S. Patent No. 5,359,725) in view of Nakashima et al. (U.S. Patent No. 5,708,650).

Regarding claims 1 and 10, Garcia et al. teaches an information management method/apparatus comprising:

- Generating protection information for protecting the storage area of a recording medium storing a second string of codes recorded by a second coding technique from any recording, editing and erasing operations of a first apparatus adapted to

handle a first string of codes by a first coding technique and refer to the first management data stored in a first management area (col. 2, line 46 through col. 3, line 10, col. 3, line 21 through col. 5, line 49);

- Arranging said protection information in the first management data area as one of said first management data (col. 4, lines 1-6); and
- Protecting the storage area of the medium storing said second string of codes from any recording, editing and erasing operations of said first apparatus, while allowing reproducing operations of said first apparatus (MAC files [first code] are allowed to be reproduced while in the MAC computer [first apparatus]), on the basis of said protection information when the medium storing said second string of codes is operated by said first apparatus (col. 2, line 46 through col. 3, line 10, MAC files [first code] and MS-DOS files [second code] are both stored on the same medium, when placed in a MAC computer [first apparatus], only the MAC files [first code] will be able to be read, while the MS-DOS files [second code] are protected from any recording, editing, and erasing operation of the MAC computer [first apparatus]).

Garcia et al. does not teach wherein said protection information indicates that the protection mode of the track on the medium is prohibited from rewriting.

**Nakashima et al. teaches wherein said protection information indicates that the protection mode of the track on the medium is prohibited from rewriting (fig. 20, 'write-protection flag' and col. 3, lines 10-19).**

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have the protection information indicate that the protection mode of the track on the medium is prohibited from rewriting, as taught by Nakashima et al., combined with the method/apparatus of Garcia et al. It would have been obvious for such modifications because the protection flag allows data to remain on the medium for a user-added benefit. Also, rewriting needs to be prohibited because a rewriting action on the directory structure will destroy the link between the file name and the actual location of the file.

Regarding claims 2 and 11, Garcia et al. as modified by Nakashima et al. teaches said first apparatus is permitted to reproduce only the part of the first string of codes on the basis of said protection information when a single string of codes generated by means of both said first coding technique and said second coding technique is recorded on said recording medium (see col. 1, lines 23-27 of Garcia et al., only the MAC computer [first apparatus] will be able to reproduce the MAC files [first code] when both MAC files [first code] and MS-DOS files [second code] are on the medium).

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Regarding claims 3 and 12, Garcia et al. as modified by Nakashima et al.

teaches said protection information indicates that the area that can be used by said first apparatus for recording is made nil in said area on the medium or said area on the medium is made smaller than the allowable area of said first apparatus (see col. 5, lines 8-29 of Garcia et al.).

Regarding claims 4 and 13, Garcia et al. as modified by Nakashima et al.

teaches said protection information indicates that the storage information of the address information indicating the position of the area on the medium that can be used for recording by said first apparatus is made equal to nil (see col. 5, lines 8-29 of Garcia et al.).

Regarding claims 6 and 15, Garcia et al. as modified by Nakashima et al.

teaches a second management data area that can be referred to only by the second apparatus adapted to handle the second string of codes or both the first string of codes and the second string of codes is provided on said medium and the first management data area arranged in said second management data area except said protection information (see col. 1, lines 23-27 of Garcia et al., only the MS-DOS computer [second apparatus] will be able to reproduce the MS-DOS files [second code] when both MAC files [first code] and MS-DOS files [second code] are on the medium).

Regarding claims 7 and 16, Garcia et al. as modified by Nakashima et al. teaches said second apparatus is adapted to refer to both said first management data area and said second management data area (see col. 2, lines 3-11 of Garcia et al., both formats [MAC and MS-DOS] are transferred to an MS-DOS formatted drive, a MS-DOS computer [second apparatus] will be able to read both the MAC and DOS directories).

Regarding claims 8 and 17, Garcia et al. as modified by Nakashima et al. teaches said second apparatus is adapted to disregard said first management data area and refers to only the second management data area when said protection information is arranged in said first management data area (see col. 1, lines 23-27 of Garcia et al., only the MS-DOS computer [second apparatus] will be able to reproduce the MS-DOS files [second code] when both MAC files [first code] and MS-DOS files [second code] are on the medium).

Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia et al. (USPN '725) in view of Nakashima et al. (USPN '650), and further in view of Takezawa (U.S. Patent No. 5,392,265).

Regarding claims 9 and 18, Garcia et al./Nakashima et al. teaches all the limitations of claims 1 and 6, and also claims 11, and 15-17, respectively. However, Garcia et al./Nakashima et al. does not teach said second apparatus initializes said first

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management data area and allows the medium to be used by said first apparatus for recording, editing and erasing when said second string of codes no longer exists on said medium.

Takezawa teaches said second apparatus initializes said first management data area and allows the medium to be used by said first apparatus for recording, editing and erasing when said second string of codes no longer exists on said medium (col. 2, lines 31-43).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to allow recording, editing, and erasing of data after a second string of codes no longer exists on a medium, as taught by Takezawa, combined with the method/apparatus of Garcia et al./Nakashima et al. It would have been obvious for such modifications because this well-known task is common in record management of data on an optical medium. When data is added, deleted, or edited, the TOC is automatically updated to reflect the changes made. This implies that when a second string of codes is deleted, i.e. no longer exists on a medium, the TOC is updated to reflect the change, therefore informing the apparatus adapted to the old standards that information exists in the old format exclusively. This would allow the first apparatus recording, editing, and erasing rights.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Brandon Hoffman*  
BH

*CH*  
6/10/05